IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| BILLY O'KEEFE, |) |
|---|--------------------|
| Plaintiff, |)) 8:16CV29 |
| v. |) |
| ROBERT SOLDO, JAY MURPHY, JEFFREY RUTAN, ROB SANDERSFELD, in their individual capacities, CITY OF BEATRICE, NEBRASKA, and GAGE COUNTY, NEBRASKA, | ORDER)))))) |
| Defendants. |))) |

Plaintiff has filed a Motion for Appointment of Counsel. (Filing No. 13.) The court cannot routinely appoint counsel in civil cases. In <u>Davis v. Scott</u>, 94 F.3d 444, 447 (8th Cir. 1996), the Eighth Circuit Court of Appeals explained that "[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel[.]" <u>Id.</u> (internal citation and quotation marks omitted). As the defendants have not yet been served and filed answers or dispositive motions, no such benefit is apparent at this time. Thus, Plaintiff's request for the appointment of counsel will be denied.

IT IS ORDERED that Plaintiff's Motion for Appointment of Counsel (Filing No. 13) is denied.

DATED this 2nd day of June, 2016.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge